

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

RICHARD W. DAVIS, JR.,

Defendant,

and

DCG REAL ASSETS, LLC, et al.,

Relief Defendants.

CASE NO. 3:16-CV-285

**ORDER GRANTING RECEIVER'S
MOTION FOR AUTHORITY TO MAKE
PROPOSED FINAL DISTRIBUTIONS**

This matter came before the Court upon the *Receiver's Motion for Order Authorizing Final Distribution and Establishing Distribution Amounts* (Doc. No. 280) (the "Motion") filed on November 15, 2019 by A. Cotten Wright, the duly appointed receiver in the above-captioned action, through counsel. In the Motion, the Receiver requested authority to distribute a total of \$787,000.00 to the holders of allowed claims in the amounts set forth in Exhibit A to the Motion (the "Proposed Final Distributions") and to hold-back \$5,204.89 for unbilled professional fees and expenses (the "Hold-back"), subject to further Court approval. It appears that notice of the Motion was proper and the deadline for responses to the Motion has expired without any objections having been filed.

In the Motion, the Receiver reported that the balance in the receivership account was \$792,204.89. Allowed claims in this case total \$17,012,039.31. Prior interim distributions totaling \$701,679.73 have been made, resulting in a distribution thus far of approximately 4.12%. The

Proposed Distributions of \$787,000.00 will result in a total recovery of approximately 8.75% on allowed claims.

The Court, having reviewed the Motion and the record in this case, has determined that the Motion should be allowed as reflecting the best interests of the claimants in this case.

IT IS, THEREFORE, ORDERED that:

- 1) The Motion is granted;
- 2) The Receiver is authorized to make the Proposed Final Distributions to claimants in the total amount of \$787,000.00 in the amounts set forth in Exhibit A to the Motion; and
- 3) The Receiver is authorized to hold back \$5,204.89 for unbilled professional fees and expenses, subject to further Court approval.

SO ORDERED.

Signed: December 6, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

